

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA

\*

vs.

\*

CRIMINAL NO. MJG-11-0494

(Civil Action No. MJG-14-2573)

DAVID HOWARD, ET AL.

\*

\* \* \* \* \*

MEMORANDUM AND ORDER

The Court has before it Defendant Howard's Motion for a Certificate of Appealability [[ECF No. 365]. The Court finds that neither a response nor a hearing is necessary.

For reasons set forth in the Memorandum and Order issued March 9, 2016, there is no nonfrivolous ground for appeal in the instant case on any contention, including the contention that the "Court did not conduct a voluntariness inquiry pursuant to Rule 11(b)(2) where the Petitioner's plea is the product of threats and coercion." ECF No. 365.

Accordingly, the Court shall not issue a Certificate of Appealability.

For the foregoing reasons:

1. Defendant Howard's Motion for a Certificate of Appealability [[ECF No. 365] is DENIED.
2. This action is without prejudice to the Defendant's right to seek a Certificate of Appealability from the appellate court.

SO ORDERED, this Friday, March 18, 2016.

\_\_\_\_\_  
/s/\_\_\_\_\_  
Marvin J. Garbis  
United States District Judge